

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION**

DIANNE MOFFETT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.: _____
	)	
MELVIN ROHRER, ROHRER AND	)	Removed from Blount County Circuit
ASSOCIATES MARKETING GROUP,	)	Court, Docket No. L-19321
INC., d/b/a RAM GROUP, and	)	
SYMETRA LIFE INSURANCE	)	
COMPANY,	)	
	)	
Defendants.	)	

**NOTICE OF REMOVAL**

Without waiving any defenses, including lack of jurisdiction, Defendants Melvin Rohrer and Rohrer and Associates Marketing Group, incorrectly designated as Rohrer and Associates Marketing Group, Inc. d/b/a RAM Group, by and through counsel, give notice of the removal of this case from the Circuit Court for Blount County, Tennessee to the United States District Court for the Eastern District of Tennessee, Northern Division. As grounds for removal, these Defendants would show the Court the following:

1. Plaintiff filed a Complaint in the Blount County Circuit Court on May 26, 2016, (Case No. L-19321), naming as Defendants Melvin Rohrer, Rohrer and Associates Marketing Group, Inc., d/b/a RAM Group, and Symetra Life Insurance Company.

2. Defendants Melvin Rohrer and Rohrer and Associates Marketing Group, Inc., received notice of the suit on May 31, 2016. This Notice of Removal is filed within thirty (30) days from the date these Defendants received notice of the suit and is therefore proper under 28 U. S. C. § 1446.

3. Defendant Melvin Rohrer is a citizen of the state of Wisconsin.

4. Defendant Rohrer and Associates Marketing Group, Inc. is a foreign corporation organized and existing under the laws of the State of Wisconsin with its principal place of business in Wisconsin.

4. Plaintiff, in the aforesaid case, is a citizen and resident of the State of Tennessee. (Complaint ¶ 1).

5. This suit is wholly of a civil nature, and the amount involved in the controversy is in excess of \$75,000, as Plaintiff seeks an amount “not to exceed \$250,000.00.” (Complaint’s Prayer for Relief).


6. This is a civil action over which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332, and, as such, is one which may be removed to this Court by this Defendant pursuant to the provisions of 28 U.S.C. § 1441, in that it is a civil action in which the matter in controversy exceeds the sum of \$75,000.00 exclusive of interest and costs and is between citizens of different states.

7. Attached hereto as collective **Exhibit A**, are true copies of all pleadings filed to date in this action by any party.

8. A copy of this Notice of Removal is being served by U.S. mail on counsel for Plaintiff, and a Notice of Filing of Notice of Removal is being filed with the Blount County Circuit Court, Tennessee, in accordance with 28 U.S.C. § 1446(d). (A copy the Notice of Filing Notice of Removal is attached as **Exhibit B**). The necessary filing fees have been paid simultaneously with the filing of the Notice of Removal.

9. Upon information and belief, Defendant Symetra Life Insurance Company has not been served.

WHEREFORE, Defendants respectfully request that Case No. L-19321, now pending in the Circuit Court for Blount County, Tennessee be removed to this Honorable Court.

  
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*Attorneys for Defendants  
Melvin Rohrer and Rohrer and Associates  
Marketing Group, Inc.*

### **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing document has been served on the following counsel of record in the manner of service indicated below:

☒ By placing postage prepaid envelope in United States Mail Service, addressed to:

T. Kenan Smith, Esq.  
Lyndsey L. Lee, Esq.  
Hodges, Doughty & Carson, PLLC  
617 Main Street  
P. O. Box 869  
Knoxville, TN 37901

Symetra Life Insurance Company  
c/o Its Counsel  
Medora A. Marisseau, Esq.  
Karr Tuttle Campbell  
701 Fifth Avenue, Suite 3300  
Seattle, WA 98104

Symetra Life Insurance Company  
Statutory Home Office:  
4125 Westown Parkway, Suite 102  
West Des Moines, Iowa 50266

c/o Commissioner of the Tennessee Department of  
Commerce and Insurance  
500 James Robertson Parkway  
Nashville, Tennessee 37243-1131

Symetra Life Insurance Company  
Principal Place of Business:  
777 108<sup>th</sup> Avenue NE, Suite 1200  
Bellevue, WA 98004

c/o Commissioner of the Tennessee Department of  
Commerce and Insurance  
500 James Robertson Parkway  
Nashville, Tennessee 37243-1131

☐ By placing document in third party express delivery carrier, i.e., Federal Express,  
for overnight delivery to the following counsel of record:

☐ By sending document via facsimile to:

☐ By causing the foregoing to be hand delivered to counsel of record at the  
following address on this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

This the 5<sup>th</sup> day of June 2016.

  
\_\_\_\_\_